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9 Attorneys for WAYMO LLC

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

13 Plaintiff,

14 vs.

15 UBER TECHNOLOGIES, INC.;
16 OTTOMOTTO LLC; OTTO TRUCKING
17 LLC,

18 Defendants.

CASE NO. 3:17-cv-00939-WHA

**DECLARATION OF JOHN W.
MCCAULEY IN SUPPORT OF
PLAINTIFF WAYMO LLC'S MOTION IN
LIMINE NO. 18 TO PRECLUDE
RELIANCE ON THE STROZ
FRIEDBERG DUE DILIGENCE
INVESTIGATION**

1 I, John W. McCauley, hereby declare as follows.

2 1. I am a member of the bar of the State of California and an associate with Quinn
3 Emanuel Urquhart & Sullivan, LLP, counsel for Plaintiff Waymo LLC (“Waymo”). I make this
4 declaration of personal, firsthand knowledge, and if called and sworn as a witness, I could and
5 would testify competently as follows.

6 2. Attached as Exhibit 1 is a true and correct copy of an excerpt from the October 2,
7 2017 deposition of Travis Kalanick.

8 3. Attached as Exhibit 2 is a true and correct copy of an excerpt from the September
9 29, 2017 deposition of Cameron Poetzsch.

10 4. Attached as Exhibit 3 is a true and correct copy of an excerpt from the September
11 30, 2017 deposition of Ningjun (Nina) Qi.

12 5. Attached as Exhibit 4 is a true and correct copy of an email thread between counsel
13 for Uber and counsel for Waymo from July 2017 with the subject line Defendants’ Paragraph 4
14 Accountings.

15 6. Attached as Exhibit 5 is a true and correct copy of an excerpt from the October 13,
16 2017 deposition of Justin Suhr.

17 7. Attached as Exhibit 6 is a true and correct copy of an excerpt from the October 2,
18 2017 deposition of Angela Padilla.

19 8. Attached as Exhibit 7 is a true and correct copy of an excerpt from the October 12,
20 2017 deposition of Salle Yoo.

21 9. Attached as Exhibit 8 is a true and correct copy of an excerpt from the September
22 29, 2017 deposition of Eric Tate.

23 10. Attached as Exhibit 9 is a true and correct copy of an excerpt from the June 19,
24 2017 deposition of Cameron Poetzsch.

25 11. Attached as Exhibit 10 is a true and correct copy of an Engagement Letter from
26 Stroz Friedberg, LLC to Morrison Foerster LLP and O’Melveny & Myers LLP that includes a
27 March 4, 2016 Protocol for Review of Data and Devices and for Reporting Results of
28 Investigation attached as Exhibit A bearing bates label UBER00312499-312508.

1 12. Attached as Exhibit 11 is a true and correct copy of a March 21 2016 Stroz
2 Friedberg, LLC Protocol for Review of Data and Devices bearing bates label UBER00312489-91.

3 I declare under penalty of perjury under the laws of the State of California that the
4 foregoing is true and correct.

5 DATED: November 13, 2017

/s John W. McCauley

John W. McCauley

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12 **SIGNATURE ATTESTATION**

13 Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the
14 filing of this document has been obtained from John W. McCauley.

15 /s/ Charles K. Verhoeven

16 Charles K. Verhoeven
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